

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herein.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-114 and 116-119 are pending in this application. Claims 1, 55-58, and 112-114 and 116-119 are independent. Claim 115 has been canceled without prejudice or disclaimer of subject matter.

### **II. INTERVIEW SUMMARY**

Applicants' representatives have conducted a telephonic interview with Examiner Stork on August 18, 2009 in which Applicant's representative assert that the claims relate to subject matter different from the disclosure of U.S. Patent No. 6,567,800 to Barrera, which relates primarily to search. Applicants also asserted the claimed subject matter differs from the creation of individualized web portal pages. The Examiner indicated that amending the claims may distinguish over the cited art but still would require further consideration and search.

### **III. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-4, 7, 10, 12, 17, 21, 25, 29, 33, 51, 52, 57-61, 64, 67, 69, 74, 78, 82, 86, 90, 108, 111, and 115-119 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,567,800 to Barrera et al. (hereinafter "Barrera") in view of U.S. Patent No. 6,282,548 to Burner et al. (hereinafter "Burner") and in view of U.S. Patent No. 6,170,007 to

Venkatraman et al. (hereinafter “Venkatraman”) and further in view of U.S. Patent No. 6,304,886 to Bernardo et al. (hereinafter, merely “Bernardo”).

Claims 5 and 62 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Barrera in view of Burner in view of Venkatraman and in view of Bernardo and further in view of U.S. Patent No. 6,311,058 to Wecker et al. (hereinafter “Wecker”).

Claims 6, 8-9, 14-16, 18-20, 22-24, 26-28, 30-32, 63, 65, 66, 71-73, 75-77, 79-81, 83-85, 87-89, and 114 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Barrera in view of Burner, in view of Venkatraman and in view of Bernardo and further in view of U.S. Patent No. 6,394,354 to Wilz, Sr. et al. (hereinafter “Wilz”).

Claims 11, 13, 53, 68, 70, and 109 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Barrera in view of Burner, in view of Venkatraman in view of Bernardo and further in view of U.S. Patent No. 6,311,214 to Rhoads (hereinafter “Rhoads”).

Claims 34-48, 50, 54, 56, 91-106, 110, and 113 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Barrera in view of Burner, in view of Venkatraman and in view of Bernardo and further in view of U.S. Patent No. 6,505,212 to Nakano et al. (hereinafter “Nakano”).

Claims 55 and 112 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Barrera and Burner in view of Venkatraman in view of Bernardo and in view of Wilz and Nakano.

#### **IV. RESPONSE TO REJECTIONS**

Claim 1 recites, *inter alia*:

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“A method of **creating a complete and independent web site for hosting visitor traffic using a globally accessible software platform**, comprising the steps of:

**receiving data entry including selection of an industry type;**

determining one or more characteristics for each of one or more web site features in response to the data entry;

creating a framework of the web site based upon the one or more determined characteristics for each of the one or more web site features;

**retrieving web site data in accordance with the created framework of the web site;**

**creating a plurality of pages of the web site based upon the framework of the web site and the retrieved web site data;**

generating one or more interfaces to one or more external components on the pages of the web site;

**remotely executing an application that may or may not retrieve web site data** such that whether content is retrieved is a function of the remotely executed application;

**previewing the created pages in a sequence, any changes made on the pages during previewing being automatically propagated through the pages;**

registering the one or more interfaces of the one or more external components;

creating website data based on the interfaces and remotely executed application; and presenting the created web site.” (Emphasis added)

Applicants respectfully submit that nothing has been found in Barrera, Burner, Venkatraman, Bernardo, Wecker, Wilz, Rhoads, or Nakano, taken alone or in combination, that would teach or suggest the above-identified features of claim 1.

Indeed, claim 1 recites “creating a website...” Applicants respectfully submit that Barrera is directed to searching and does not disclose any features that could be interpreted as “**creating a complete and independent web site for hosting visitor traffic using a globally accessible software platform**” as recited in claim 1. Indeed Barrera fails to teach or suggest a any type of software platform for generating an independent web page for hosting visitor traffic. Barrera merely discloses the presentation of a web page with search results in response to a user’s search query. In other words, the web page generated in response to a query is temporal in character and is not an independent web for hosting visitors.

Therefore Applicants submit that claim 1 is patentable for at least the reasons stated. The Applicant also submits that, for reasons similar to those described above with regard to independent claim 1, independent claims 55-58, and 112-114 and 116-119 are also patentable.

#### **V. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

**CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate the portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,  
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